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TO: Mail Stop Non-Fee Amendment
Commissioner of Patents

FAX NO.: (703) 872-9306

FROM: Lucian Wayne Beavers
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PAGES: 3 (including cover page)

DATE: October 31, 2003

TIME: 3:40 PM

SUBJECT: APPLICANT - BARRY BRATCHER, ET AL
SERIAL NO. 09/970,150 FOR "FLEXIBLE PROCESSING
APPARATUS FOR ISOLATING AND PURIFYING
VIRUSES, SOLUBLE PROTEINS AND PEPTIDES FROM
PLANT SOURCES"
OUR DOCKET NO. N7815

MESSAGE:

Please refer to the attached Response to Restriction Requirement for filing.

A CONFIRMING COPY OF THIS TRANSMISSION IS NOT BEING SENT BY MAIL.

NOTE: THE INFORMATION IN THIS FACSIMILE TRANSMISSION MAY BE PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE AND MAY CONTAIN CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE PERSON NAMED ABOVE AND OTHERS WHO HAVE BEEN SPECIFICALLY AUTHORIZED TO RECEIVE IT. IF YOU ARE NOT THE INTENDED RECIPIENT YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (615-242-2400) AND RETURN THE ORIGINAL TRANSMISSION TO US BY MAIL WITHOUT MAKING A COPY.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barry Bratcher; Stephen J. Garger;
R. Barry Holtz; Michael J. McCulloch

Serial No.: 09/970,150

Filed: 10/03/2001

For: Flexible Processing Apparatus for Isolating and Purifying
Viruses, Soluble Proteins and Peptides from Plant Sources

Group Art Unit: 1631

Examiner: Ardin H. Marschel, Ph.D.

Attorney's Docket No.: N7815

Customer No.: 23456

OFFICIAL

RESPONSE TO RESTRICTION REQUIREMENTVIA FACSIMILE NO. 703-308-4242

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed October 1, 2003, Applicant hereby elects the invention of Group I, i.e., Claims 1-39 for examination. Further to the requirements set out in the Official Action, Applicant elects Species B for prosecution on the merits to which the claims shall be restricted if no generic claim is finally allowable. The claims relating to Species B are Claims 11-12, 33-35 and 37, in addition to the generic claims, Claims 1-10, 13-32, 36, 38 and 39.

Sent By: Waddey & Patterson;

615 242 2221;

Oct-31-03 4:55PM;

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APPLICATION NO. 09/970,150
DOCKET NO. N7815

Although Applicant does not acquiesce in the Restriction Requirement, this election is being made in order to facilitate prosecution. Early consideration and allowance of the above claims is believed appropriate and is respectfully requested.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 23-0035.

Respectfully submitted,



Lucian Wayne Beavers
Registration No. 28,183
WADDEY & PATTERSON
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response To Restriction Requirement is being sent by facsimile transmission to the United States Patent and Trademark Office, Fax No. 703-308-4242.

L. Wayne Beavers



Signature

Registration Number 28,183

10/31/03

Date